

HOUSE BILL 237

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2003 Regular Session
(31r1306)

ENROLLED BILL

-- Health and Government Operations/Education, Health, and
Environmental Affairs --

Introduced by ~~Delegate Donoghue~~ Delegates Donoghue and Oaks

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Dentistry - ~~Waiver of Licensure Education~~ Requirements - Pediatric**
3 **Specialist**

4 FOR the purpose of authorizing the State Board of Dental Examiners to waive certain
5 education requirements for applicants for a ~~general~~ limited license to practice
6 dentistry who do not hold certain degrees, if certain conditions are met,
7 including the applicant's being contractually obligated to provide pediatric
8 dental services for at least a certain number of years in a public health dental
9 clinic or certain health centers; ~~requiring applicants whose waiver of certain~~
10 ~~education requirements was granted to pass a certain examination given by the~~
11 ~~Board; requiring a license granted under this Act to~~ providing that a certain
12 limited license shall expire and be surrendered to the Board under certain
13 circumstances; authorizing the Board to issue a general license to practice
14 dentistry to a certain limited licensee; making certain conforming changes;
15 providing for the termination of certain authority of the Board to waive certain
16 education requirements; and generally relating to ~~the waiver of the licensure~~

1 ~~education~~ requirements for certain applicants for a limited license and a general
2 license to practice dentistry in the State.

3 BY repealing and reenacting, with amendments,
4 Article - Health Occupations
5 Section 4-302(d) and (f)(1), 4-304(b), 4-307(b)(2), 4-308(b), and 4-309(a)(2)
6 Annotated Code of Maryland
7 (2000 Replacement Volume and 2002 Supplement)

8 BY adding to
9 Article - Health Occupations
10 Section 4-303.1
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2002 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Health Occupations**

16 4-302.

17 (d) [To] UNLESS WAIVED BY THE BOARD UNDER §§ 4-303 AND 4-303.1 OF THIS
18 SUBTITLE, TO qualify for a license to practice dentistry, the applicant shall hold a
19 Degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent,
20 from a college or university that is:

21 (1) Authorized by any state or any province of Canada to grant the
22 degree; and

23 (2) Recognized by the Board as requiring adequate preprofessional
24 collegiate training and as maintaining an acceptable course of dental instruction.

25 (f) (1) Unless the examination requirement is waived under § 4-306 or §
26 4-310 of this subtitle, AND EXCEPT AS PROVIDED IN § 4-303.1 OF THIS SUBTITLE, to
27 qualify for a general license to practice dentistry or a general license to practice
28 dental hygiene, the applicant shall pass an examination given by the Board under
29 this subtitle.

30 4-303.1.

31 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE
32 THE EDUCATION REQUIREMENTS OF § 4-302 OF THIS SUBTITLE FOR AN APPLICANT
33 FOR A ~~GENERAL~~ LIMITED LICENSE TO PRACTICE DENTISTRY WHO DOES NOT HOLD A
34 DEGREE OF DOCTOR OF DENTAL SURGERY, DOCTOR OF DENTAL MEDICINE, OR THE
35 EQUIVALENT FROM A COLLEGE OR UNIVERSITY THAT IS AUTHORIZED BY ANY STATE
36 OR ANY PROVINCE OF CANADA TO GRANT THE DEGREE AND IS RECOGNIZED BY THE
37 BOARD UNDER § 4-302(D)(2) OF THIS SUBTITLE.

1 (B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF:

2 (1) THE APPLICANT:

3 (I) HOLDS A DEGREE OF DOCTOR OF DENTAL SURGERY, DOCTOR
4 OF DENTAL MEDICINE, OR AN EQUIVALENT DEGREE FROM A SCHOOL, COLLEGE, OR
5 FACULTY OF DENTISTRY OTHER THAN ONE LOCATED IN THE UNITED STATES OR
6 CANADA;

7 (II) HAS SUCCESSFULLY COMPLETED AT LEAST A 2-YEAR
8 PEDIATRIC DENTISTRY RESIDENCY PROGRAM AT A DENTAL SCHOOL OR A HOSPITAL
9 AUTHORIZED BY ANY STATE AND WHICH IS RECOGNIZED BY THE BOARD;

10 (III) EITHER IS A PEDIATRIC DENTAL FELLOW, OR HAS
11 SUCCESSFULLY COMPLETED A PEDIATRIC DENTAL FELLOWSHIP, AT THE
12 UNIVERSITY OF MARYLAND DENTAL SCHOOL;

13 (IV) IS CONTRACTUALLY OBLIGATED TO PROVIDE PEDIATRIC
14 DENTAL SERVICES FOR AT LEAST 2 YEARS;

15 1. IN A PUBLIC HEALTH DENTAL CLINIC OPERATED BY THE
16 STATE OR A COUNTY OR MUNICIPALITY OF THE STATE; OR

17 2. IN A FEDERALLY QUALIFIED HEALTH CENTER OR
18 MARYLAND QUALIFIED HEALTH CENTER ONLY TO MEDICAID, UNINSURED, OR
19 INDIGENT PATIENTS OR PATIENTS WHO OTHERWISE QUALIFY FOR DENTAL CARE IN
20 A PUBLIC HEALTH DENTAL CLINIC;

21 (V) LIMITS PRACTICE TO THE PUBLIC HEALTH DENTAL CLINIC,
22 FEDERALLY QUALIFIED HEALTH CENTER, OR MARYLAND QUALIFIED HEALTH
23 CENTER FOR WHICH THE APPLICANT HAS CONTRACTUALLY AGREED TO PROVIDE
24 PEDIATRIC DENTAL SERVICES;

25 ~~(VI)~~ (VI) IS FOUND TO BE OF GOOD MORAL CHARACTER AND
26 PROFESSIONALLY COMPETENT; AND

27 ~~(VII)~~ (VII) MEETS ANY OTHER REQUIREMENTS THAT THE BOARD
28 MAY REASONABLY REQUIRE; AND

29 (2) THE HEALTH OFFICER OF THE PUBLIC HEALTH PROGRAM FOR
30 WHICH THE APPLICANT HAS CONTRACTUALLY AGREED TO PROVIDE AT LEAST 2
31 YEARS OF PEDIATRIC DENTAL SERVICES AND THE DEAN OF THE UNIVERSITY OF
32 MARYLAND DENTAL SCHOOL REQUEST THE WAIVER FROM THE BOARD AND STATE
33 THAT CIRCUMSTANCES EXIST TO JUSTIFY GRANTING THE WAIVER.

34 ~~(C) A GENERAL LICENSE TO PRACTICE DENTISTRY MAY BE GRANTED UNDER~~
35 ~~THIS SECTION ONLY AFTER THE APPLICANT HAS SUCCESSFULLY PASSED AN~~
36 ~~EXAMINATION GIVEN BY THE BOARD AS REQUIRED UNDER § 4-302(F)(1) OF THIS~~
37 ~~SUBTITLE.~~

1 ~~(D) A GENERAL LICENSE GRANTED UNDER THIS SECTION SHALL BE~~
2 ~~SURRENDERED IMMEDIATELY TO THE BOARD IF THE LICENSEE FAILS, FOR ANY~~
3 ~~REASON, TO FULLY SATISFY THE LICENSEE'S CONTRACTUAL OBLIGATIONS TO~~
4 ~~PROVIDE PEDIATRIC DENTAL CARE IN THE PUBLIC HEALTH DENTAL CLINIC AS~~
5 ~~REQUIRED UNDER SUBSECTION (B)(1)(IV) OF THIS SECTION.~~

6 (C) A LIMITED LICENSE TO PRACTICE DENTISTRY ISSUED TO AN APPLICANT
7 FOR A WAIVER UNDER THIS SECTION SHALL EXPIRE AND BE SURRENDERED
8 IMMEDIATELY TO THE BOARD IF:

9 (1) THE LICENSEE'S CONTRACT WITH THE PUBLIC HEALTH DENTAL
10 CLINIC, FEDERALLY QUALIFIED HEALTH CENTER, OR MARYLAND QUALIFIED
11 HEALTH CENTER EXPIRES; OR

12 (2) THE LICENSEE FAILS, FOR ANY REASON, TO FULLY SATISFY THE
13 LICENSEE'S OBLIGATIONS UNDER SUBSECTION (B)(1)(IV) AND (V) OF THIS SECTION.

14 (D) THE BOARD MAY ISSUE A GENERAL LICENSE TO A LIMITED LICENSEE
15 WHO WAS GRANTED A WAIVER UNDER THIS SECTION IF THE LIMITED LICENSEE:

16 (1) SUCCESSFULLY COMPLETES AT LEAST A 2-YEAR CONTRACTUAL
17 OBLIGATION TO PROVIDE PEDIATRIC DENTAL CARE IN ACCORDANCE WITH
18 SUBSECTION (B)(1)(IV) OF THIS SECTION;

19 (2) SUBMITS AN APPLICATION FOR A GENERAL LICENSE TO PRACTICE
20 DENTISTRY ON A FORM PROVIDED BY THE BOARD;

21 (3) PASSES THE WRITTEN AND CLINICAL EXAMINATIONS OF THE NORTH
22 EAST REGIONAL BOARD;

23 (4) PASSES THE MARYLAND DENTAL JURISPRUDENCE EXAMINATION;

24 (5) PASSES THE NATIONAL BOARD EXAMINATIONS;

25 (6) DEMONSTRATES ORAL ENGLISH COMPETENCY BY SCORING 220 OR
26 BETTER FOR OVERALL COMPREHENSION AND 2.0 OR BETTER FOR PRONUNCIATION,
27 GRAMMAR, AND FLUENCY ON THE TEST OF SPOKEN ENGLISH ADMINISTERED BY THE
28 EDUCATIONAL TESTING SERVICE; AND

29 (7) IS FOUND TO BE OF GOOD MORAL CHARACTER.

30 4-304.

31 (b) In addition to the other requirements of this section, an applicant for a
32 limited license to practice dentistry shall submit to the Board a written request, from
33 the hospital, sanatorium, [or] dental school, OR PUBLIC HEALTH PROGRAM to which
34 the practice is to be limited, that the license be issued.

1 4-307.

2 (b) (2) On a limited license to practice dentistry, the Board also shall
3 include:

4 (i) The date the license expires, FOR A ~~LICENCE~~ LICENSE THAT
5 EXPIRES ON THE FIRST ANNIVERSARY OF ITS EFFECTIVE DATE; and

6 (ii) The name of the institution OR PUBLIC HEALTH PROGRAM at
7 which the licensee is authorized to practice dentistry.

8 4-308.

9 (b) While it is effective, a limited license to practice dentistry issued under
10 this title authorizes the licensee to practice dentistry, including as an intern or a
11 resident:

12 (1) Only for the institution OR PUBLIC HEALTH PROGRAM named on the
13 license; and

14 (2) Only on patients of the institution OR PUBLIC HEALTH PROGRAM
15 named on the license.

16 4-309.

17 (a) (2) [A] EXCEPT AS PROVIDED IN § 4-303.1 OF THIS SUBTITLE, A limited
18 license to practice dentistry expires on the first anniversary of its effective date.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the authority of the
20 Maryland State Board of Dental Examiners under § 4-303.1 of the Health
21 Occupations Article, as enacted by Section 1 of this Act, to grant a waiver of the
22 education requirements of § 4-302 of the Health Occupations Article for applicants
23 for a limited license to practice dentistry who are contractually obligated to provide
24 pediatric dental services in a federally qualified health center or Maryland qualified
25 health center, terminates at the end of September 30, 2006.

26 SECTION 2-3. AND BE IT FURTHER ENACTED, That, subject to Section 2
27 of this Act, this Act shall take effect October 1, 2003.